

# Exhibit 3

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
**CIVIL MINUTES – GENERAL**

Case No. **8:20-cv-00993-MCS-ADS**

Date **November 30, 2023**

Title ***Netlist Inc. v. Samsung Elecs. Co., Ltd.***

Present: The Honorable **Mark C. Scarsi, United States District Judge**

**Stephen Montes Kerr**

**Not Reported**

**Deputy Clerk**

**Court Reporter**

Attorney(s) Present for Plaintiff(s):

**None Present**

Attorney(s) Present for Defendant(s):

**None Present**

**Proceedings: (IN CHAMBERS) ORDER RE: FURTHER PROCEEDINGS**

After a Ninth Circuit panel remanded this case for further proceedings, (Mem., ECF No. 334; Mandate, ECF No. 340), the Court ordered the parties to file a joint status report proposing a schedule, (Order, ECF No. 341). Having reviewed the parties' report, (J. Status Rep., ECF No. 343), the Court largely adopts Samsung's proposal to rebrief the remaining issues in the summary judgment proceedings based only on the existing record. (J. Status Rep. 23.) The Court sets the following schedule:

<b>Event</b>	<b>Date</b>
Simultaneous opening briefs due	January 8, 2024
Simultaneous responsive briefs due	January 22, 2024
Hearing	February 5, 2024, at 9:00 a.m.

The Court will set new trial and pretrial dates, if necessary, upon issuing a summary judgment order. The Court orders the parties to follow current versions of this Court's standing order, located at <https://www.cacd.uscourts.gov/honorable-mark-c-scarsi>, and the local rules. These were substantively amended while the appeal was pending. *E.g.*, C.D. Cal. Rs. 11-6, 56-1 to -3.

The relief Netlist proposes in the status report is neither procedurally nor substantively appropriate on this record. (J. Status Rep. 3–8.) *E.g.*, Fed. R. Civ. P. 7(b)(1) (“A request for a court order must be made by motion.”); C.D. Cal. R. 6-1 (“[E]very motion shall be presented by written notice of motion.”); *Lockyer v. Mirant Corp.*, 398 F.3d 1098, 1110 (9th Cir. 2005) (identifying factors courts should analyze in considering a stay); *Avila v. Willits Env’t Remediation Tr.*, 633 F.3d 828, 833 (9th Cir. 2011) (recognizing trial courts’ “broad discretion to manage discovery and control the course of litigation”). Netlist may file a duly noticed motion seeking such relief, but it must set any such motion for hearing on February 5, 2024, at the same time as the summary judgment hearing.

**IT IS SO ORDERED.**